

REMARKS

This Amendment is submitted in response to the Office Action dated May 19, 2004, having a shortened statutory period set to expire July 19, 2004.

In the present Amendment, Applicant has proposed amendments to the specification to correct obvious misspellings. No new matter is introduced by the proposed amendment, and its entry is respectfully requested.

In paragraph 2 of the present Office Action, Claims 1-21 are rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,560,641 to *Powderly et al. (Powderly)*. That rejection is respectfully traversed as it might be applied to the claims as amended herein, and favorable reconsideration of the claims is respectfully requested.

Applicant respectfully submits that *Powderly* does not render the present claims unpatentable under 35 U.S.C. § 102 or § 103 because that reference does not teach or suggest each feature recited in the claims as amended herein. For example, *Powderly* does not disclose the following steps of exemplary Claim 1:

prior to initiation of execution of power-on self-test (POST) code by a main processor of a remotely managed data processing system:

on a service processor separate from the main processor, initiating execution of a remote control application; and
the remote control application establishing communication over a network connection with a remote console;

...
the remote control application enabling remote control of the remotely managed data processing system upon initiation of execution of said POST code.
(emphasis supplied)

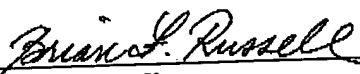
With respect to the above steps of exemplary Claim 1, paragraph 7 of the present Office Action cites Figure 3 and col. 11, lines 34-37 of *Powderly*. The cited passages disclose "functions performed by the first program code ..., when executed by the host processor 50 during the POST routine" (col. 11, lines 34-37, emphasis supplied). Clearly, the functions

disclosed by *Powderly*, which all relate to execution of BIOS during POST by the main processor, do not teach or suggest execution of a remote control application "on a service processor separate from the main processor" and "prior to initiation of execution of power-on self-test (POST) code by a main processor," as clearly recited in exemplary Claim 1. That is, *Powderly's* process for remote control is initiated by the host processor during POST, while the method recited in exemplary Claim 1 clearly recites initiating execution prior to POST on a service processor. Because *Powderly* does not teach or suggest these features of exemplary Claim 1, Applicant respectfully submits that the rejections of Claim 1, similar Claims 8 and 15, and their respective dependent claims are overcome.

Having now responded to each rejection set forth in the present Office Action, Applicant believes all pending claims are now in condition for allowance and respectfully requests such allowance.

No fee or extension of time is believed to be required. If any fee or extension of time is required, please charge any necessary fees to IBM Corporation Deposit Account 50-0563.

Respectfully submitted,



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